

# **Complaint Exhibit A**

# SPARACINO

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October 30, 2018

**By Electronic Mail**

U.S. Agency for International Development  
M/MS/IRD, Suite 207C RRB  
1300 Pennsylvania Avenue, NW  
Washington, DC 20523-2701  
**Email:** foia@usaid.gov

Re: Freedom of Information Act Request

Dear FOIA Officer:

My law firm represents over 350 American veterans and civilians, and their families (including over 50 Gold Star Families), in connection with deaths and injuries caused by terrorists in Iraq. On behalf of our clients, we have filed a lawsuit against pharmaceutical and medical device companies that contracted with the Iraqi Ministry of Health, alleging that the companies funded terrorists who killed or wounded thousands of Americans in Iraq. As part of our investigation of these allegations, and on behalf of our clients who have made great sacrifices in connection with America's involvement with Iraq, we submit this request under the Freedom of Information Act, 5 U.S.C. §§ 552, *et seq.* ("FOIA") for copies of the records described below.

## **Background**

On or about April 17, 2006, The Louis Berger Group, Inc. and The Services Group (TSG) produced a report for the USAID's review entitled, Pharmaceutical and Medical Products in Iraq ("Report"). See corresponding title pages and table of contents, attached hereto as Exhibit A. Preparation of the Report was funded by USAID Contract No. 267-C-00-04-00435-00. Id. at pg. 2. USAID published the Report one year later, on or about April 17, 2007, under the heading Iraq Private Sector Growth and Employment Generation. Id. at pg. 1.

On or about June 7, 2018, pursuant to a prior FOIA request (reference no. F-00056-18), USAID produced sixty-seven (67) pages of the Report. USAID did not produce, and has not produced, the five appendices, labeled "Appendix A" thru "Appendix E," of the Report. Id. at pg. 5 (highlights added). **These appendices are the subject of this FOIA request.**

## **Records Requested**

All five (5) appendices, i.e. "Appendix A" thru "Appendix E," of the Report, i.e. Pharmaceutical and Medical Products in Iraq, in their entirety.

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The relevant period for this request is: **January 1, 2005 through December 31, 2007.**

Please search for responsive records regardless of format, medium, or physical characteristics. Where possible, **please produce records electronically in PDF format.** We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs. Our request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, discussions, and any attachments to such records. If any of this information is currently classified or restricted distribution, we ask that you submit the records for declassification in accordance with Executive Order 13526, and all other relevant regulations, policies and orders governing declassification of documents.

For any responsive records, or portions of records, you deem covered by any applicable FOIA exemption, 5 U.S.C. § 552(b) prescribes the appropriate process: “[a]ny reasonably segregable portion of a record shall be provided...after deletion of the portions which are exempt under this subsection. The amount of information deleted, and the exemption under which the deletion is made, shall be indicated on the released portion of the record, unless including that indication would harm an interest protected by the exemption in this subsection under which the deletion is made. If technically feasible, the amount of the information deleted, and the exemption under which the deletion is made, shall be indicated at the place in the record where such deletion is made.”

I am willing to pay fees for this request up to a maximum of **\$200**. If the fees for this request exceed that amount, please inform me first.

Thank you for addressing my request. Please do not hesitate to reach out to me by phone or email with any questions or concerns about this request, and please mail responsive materials to the address in the letterhead above.

Sincerely,

A handwritten signature in black ink, appearing to be "Dustin M. Lee", with a stylized, cursive-like script.

Dustin M. Lee  
dustin.lee@sparacinopl lc.com

Enclosure

# **Exhibit A**



# IRAQ PRIVATE SECTOR GROWTH AND EMPLOYMENT GENERATION

April 17, 2007

## Pharmaceutical and Medical Products in Iraq





April 17, 2006

# Pharmaceutical and Medical Products in Iraq

## DISCLAIMER

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

The IRAQ IZDIHAR project is funded by the United States Agency for International Development (USAID) and implemented by the joint venture partnership of:

THE **Louis Berger Group, INC.**  
Engineers Planners Scientists Economists



**TSG** THE SERVICES GROUP  
International Economic Consulting

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